



**The Town of Clayton
Town Council Work Session Meeting Minutes
Monday, October 16, 2017 @ 6:30 PM
Council Chambers**

COUNCIL PRESENT:

Mayor McLeod
Mayor Pro Tem Grannis
Council Member Satterfield
Council Member Lawter
Council Member Holder
Council Member Thompson

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, Deputy Town Manager
Charles Meeker, Town Attorney
Christy Anastasi, Deputy Town Clerk
David DeYoung, Planning Director
Jay McLeod, Senior Planner
Catherine Whitley, Human Resources Director
Blair Myhand, Police Chief
Stacy Beard, Public Information Office
John Hamlin, Assistant Public Information Officer

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:34 p.m. He led everyone in the Pledge of Allegiance and offered the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) Mayor Pro Tem Grannis requested that Proclamations for both Domestic Violence Awareness Breast Cancer Awareness Month be added under Section 9. Additionally, Mr. Lindsay added an item for a budget amendment regarding replacement of a police vehicle under Section 9.

3 CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)

- a) Resolutions - Lease for Portions of Property located at 3798 Powhatan Road - Novo & YMCA

ACTION: Adoption of Consent Agenda as Presented

Motion: Council Member Thompson

Second: Council Member Holder

Vote: Unanimous

4 ADMINISTRATIVE ITEMS

- a) Warrant Acceptance - Health Park at 42 West - Phase I

ACTION: Place on November 6, 2017 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Clayton Downtown Development Advisory Board Annual Update/Report
Presenter: James Lipscomb, Chair

Mr. Lipscomb stated more than half of the CDDA members were in attendance for this update. Mr. Lipscomb stated the purpose of the CDDA is to preserve the character of the downtown area and to protect the historic buildings. The goals of the board are to protect and strengthen downtown business, cultural and entertainment in downtown. Mr. Lipscomb stated it serves as the voice of businesses in downtown with local and state entities. Mr. Lipscomb stated the board will continue to support and coordinate long-term planning for downtown and thanked the Council for their continued support. Mr. Lipscomb stated the board meets on monthly. It was calculated that over 830 volunteer hours were dedicated in the past year. Over \$20,000 was collected in sponsorship and concession fees in 2017. Mr. Lipscomb provided information on upcoming events such as Christmas Village & Tree Lighting on November 30th and the Main Street Conference March 13-15 2018. Weekly meetings are currently being conducted with the Main Street Conference. There are plans for new retail and restaurant businesses coming in 2018. Board suggestions to Council are to strengthen code enforcement actions on deteriorating properties in downtown. Mayor McLeod asked what the funds collected from sponsorship and concessions were used for. Mr. Lipscomb stated all of the funds were reinvested back into the programs. Mayor Pro-Tem Grannis commended all of the hard work the association has dedicated to downtown as well as the teamwork between the Town and the association.

6 PUBLIC HEARINGS

7 ITEMS SCHEDULED FOR THE REGULAR MEETING

- a) **Building Inspector Incentive Compensation Policy**
Presenter: Rich Cappola, Engineer & Inspections Director

Mr. Cappola provided information about the Building Inspector compensation policy. Mr. Cappola stated the purpose of the policy is to enhance the recruitment and retention of the building inspector positions. In this region, building inspector positions are in high demand and there is a lack of qualified applicants. Currently the Town inspector positions are multi-trade inspector positions, which requires the position to hold a level III in all four-trade certificates in plumbing, electrical, mechanical and building. The plan is to have all building inspector positions filled at level III certifications in order to meet the needs of the community. The majority of people that currently have a level three certification are at retirement age. The positions are being filled with people that have a lower level certifications such as level I or level II. Mr. Cappola stated the policy is to implement an incentive program to encourage current and future employees to pursue certification at higher levels that will allow the Town to fulfill the needs of the community, and to retain employees. Mr. Cappola stated this would be achieved through on-the-job duties and education. This will encourage employees hired at a lower level certification to continue their professional development by providing compensation incentives for each additional level of certification obtained by rewarding the employee with a 2% increase after receiving each certificate. This will encourage our staff to grow their skills that will in-turn better serve our community.

Mayor Pro-Tem Grannis stated that this is a wonderful program and he is glad to see the Town promoting within. Mayor Pro-Tem Grannis asked what the

salary ranges would be with each certification level. Mr. Cappola stated if an employee were hired with zero certifications then twelve certificates would be needed to earn to hold a level III in all four trades. Therefore, a 2% increase would be earned with each certificate. Mayor Pro-Tem Grannis asked would the proposed salary structure be competitive with neighboring towns. Mr. Cappola stated that the salary structure would be competitive. Mr. Lindsay stated that the goal is to not lose highly qualified level III employees to neighboring towns.

Council Member Satterfield asked if an employee came in with no experience what would the time be to become a level III in all four trades. Mr. Cappola stated the program would take up to four to five years to complete. The employee would also need on the job training, as well as the in the classroom certifications.

Council Member Lawter asked how the employees are doing that entered the program last year. Mr. Cappola stated the program is doing excellent. One employee just recently met the minimum requirements and has accepted a position as a level I building inspector.

ACTION: Place on November 6, 2017 Consent Agenda

- b) 2017-128-SUP - Grifols Manufacturing Building #640
Presenter: Planning Department

Mr. McLeod presented and stated the applicant, Triangle Civil Works, is requesting a special use permit to allow a maximum building height of 75' for the proposed Grifols 640 building located at 8368 US Hwy 70 Business. The request is to construct a 150,000 SF, 75' tall, three story building to consolidate manufacturing into one location. This addition will allow the removal of three existing modular trailers. The special use permit would allow the requested building to exceed the current height restriction of 50'.

Mayor Pro Tem Grannis asked if a building is over 50' then is it required to have a sprinkler system and was any documentation provided to the Fire Marshall. Mr. McLeod stated the Fire Marshall had been consulted and he did review the site plans. The Planning Board did approve the site plans at its last meeting. Any building over 50' is required by the building code to have a sprinkler system.

Council Member Lawter asked if staff could look at our ordinances in reference to building heights. Maybe this type of request could be handled at a staff level. Mr. Lindsay stated he would have staff look into this request.

ACTION: Set Public Hearing for November 6, 2017

8 ITEMS FOR DISCUSSION

9 ITEMS REQUIRING ACTION

(In order for any action to be taken during a Work Session, a motion must be made and seconded to suspend the rule to allow action to be taken.)

- a) Suspend Rules In Order to Take Action

ACTION: Suspend Rules to Take Action

Motion: Council Member Lawter
Second: Mayor Pro-Tem Grannis
Vote: Unanimous

- b) Downtown Clayton Trick-or-Treat - Street Closure Request
Presenter: David DeYoung, Planning Director

Mr. DeYoung presented a NCDOT temporary street closure for the 2017 Downtown Clayton Trick-or-Treat. Mr. DeYoung stated this is an annual event provided by the Clayton Parks & Recreation Department. This event would be held on October 31st from 2:00 pm - 4:00 pm. The request is for the closure of Town Square as well as Main Street between Fayetteville Street and Smith Street.

ACTION: Adoption of Ordinance #2017-10-07

Motion: Council Member Holder
Second: Council Member Thompson
Vote: Unanimous

- c) 2017 The Shindig - Street Closure Request
Presenter: David DeYoung, Planning Director

Mr. DeYoung presented temporary street closures for the 2017 Shindig. Mr. DeYoung stated the applicant, Dave Brown with Earthplow, is requesting temporary street closures Saturday, November 4th from 7:00 a.m. - Midnight. The applicant is requesting the temporary closure of the following NCDOT streets: Main Street between O'Neil Street and Church Street. In addition, the applicant is requesting the temporary closure of the following Town of Clayton streets: Fayetteville Street between Main Street and Second Street as well as Town Square Closure including the parking lot. Mayor Pro-Tem Grannis asked about police presence during the times alcohol will be served. Mr. DeYoung stated police must be present during the times alcohol is served.

ACTION: Adoption of Ordinance #2017-10-08

Motion: Council Member Lawter
Second: Council Member Satterfield
Vote: Unanimous

- d) 2017 Christmas Village & Tree Lighting - Street Closure Request
Presenter: David DeYoung, Planning Director

Mr. DeYoung presented a NCDOT temporary street closure for the 2017 Christmas Village & Tree Lighting. Mr. DeYoung stated this event would be held on November 30th between 5:00 p.m. - 9:00 p.m. The NCDOT streets to be

temporarily closed would be Main Street from O'Neil Street to Smith Street and Lombard Street from Main Street to Second Street. The following Town of Clayton streets to be temporarily closed would be Fayetteville Street from Main Street to Second Street, Church Street from Main Street to Second Street. Mr. DeYoung stated a request for Horne & Town Square to be closed for this event. Mayor Pro-Tem Grannis asked about what type of security would be present during this event. Mr. DeYoung stated there would be police presence due to the streets being closed.

Mr. DeYoung provided an update to Council about the new Special Events Policy. Mr. DeYoung stated the new policy has been working very well. Several items had been updated in the policy such as fee structures, police presence and barricades system. Mr. DeYoung is requesting Council direct staff to look at the section of the Special Events Policy that requires temporary street closures and square closures for a special event be brought to the Town Council. Staff would prefer to provide the special events to the Town Council as informational update. Due to the rigorous staff process going through a special events committee, which includes the Town police, fire and several other departments, staff is requesting these types of requests be handled at a staff level. The process would include the special event be approval by Planning Department for the squares or by the Police Chief for the closure of the streets. The policy currently states that if the applicant did not agree with any staff or committee findings then the applicant has the right to appeal to the Town Council. At that point, the Town Council would then have the final authority. Mr. DeYoung requested that staff come back to Council with a modification to the Special Events Policy for the Council to review and approve. Council was in agreement to allow staff to look at modifying the Special Events Policy. Council Member Holder would request that staff provide what department approved the square and or street closure on the agenda or in the documentation provided at the council meeting.

ACTION: Adoption of Ordinance #2017-10-09

Motion: Mayor Pro-Tem Grannis
Second: Council Member Holder
Vote: Unanimous

e) Proclamation Breast Cancer Awareness Month

Mayor Pro-Tem Grannis read the Breast Cancer Awareness Month Proclamation.

ACTION: Adoption of Proclamation

Motion: Mayor Pro-Tem Grannis
Second: Council Member Holder
Vote: Unanimous

f) Domestic Violence Awareness Month

Mr. Grannis read the Domestic Violence Awareness Proclamation.

ACTION: Adoption of Proclamation

Motion: Mayor Pro-Tem Grannis

Second: Council Member Holder

Vote: Unanimous

g) Replacement Vehicle for the PD

Mr. Lindsay presented a budget amendment to replace a 2012 Dodge Charger. This investigations vehicle incurred major hail damage due to a recent storm. Mr. Lindsay stated after the vehicle was assessed it was determined the vehicle was totaled due to the damage, age and mileage of the vehicle. The vehicle was not covered under insurance to replace or cover the cost of repair to the vehicle. The revenue would come from the proceeds of the sale of the damaged vehicle, which would be surplus, federal forfeiture funds, and \$12,100 would be transferred from fund balance. With Council approval, these funds would be used to cover the new vehicle.

Council Member Satterfield asked what type of insurance was on this vehicle. Ms. Medlin stated due to a policy that is currently in place, once a vehicle reaches a certain age and or mileage then the comprehensive insurance coverage is dropped and only liability insurance is kept on the vehicle. This is used as a cost savings measure for the Town. Therefore, because there is only liability insurance there would not be replacement insurance. Council Member Satterfield asked was this vehicle up for retirement this year. Chief Myhand stated that this vehicle was not up for retirement it would have been used 4-5 more years. Insurance has estimated \$12,000 in damage and there was around 65,000 miles on the vehicle at the time of the damage. Council Member Satterfield stated his concern for not keeping comprehensive insurance on vehicles longer. Ms. Medlin stated the dropping of the comprehensive insurance after reaching a certain age and or miles is a long-standing policy. Once meeting these criteria the comprehensive insurance is dropped. Ms. Medlin stated this is policy applies to all Town vehicles.

Council Member Thompson asked if this vehicle was assigned to an officer. Chief Myhand stated that yes this vehicle did belong to an Officer. Council Member Thompson asked how many vehicles are in the current fleet are used as spare vehicles. Chief Myhand stated there are currently five spare vehicles. Of the five vehicles, three are marked patrol vehicles and two are unmarked vehicles. Chief Myhand stated the police department tries to keep around five vehicles to be used as spare vehicles. These spare vehicles are used when vehicles are in the shop.

ACTION: Adoption of Budget Amendment Ordinance #2017-10-10

Motion: Council Member Satterfield

Second: Mayor Pro-Tem Grannis

Vote: Unanimous

10 OLD BUSINESS

- a) Developers Agreement - 231 E. Second Street
Presenter: David DeYoung, Planning Director

Mr. DeYoung presented an update on the 231 E. Second Street developer's agreement. Mr. DeYoung stated agreements have been reached regarding the main developer's agreement and the exhibit, which is the parking agreement. The parking agreement is necessary to support parking spaces for the apartments.

ACTION: Place on November 6, 2017 Consent Agenda

11 STAFF REPORTS

- a) Town Manager
- b) Town Attorney
- c) Town Clerk
- d) Other Staff

Mr. DeYoung provided information received from the Town of Archer Lodge. The Town Manager is requesting a letter of support from the Town of Clayton for greenway grants. Mr. DeYoung requested council support for the letter to the Town of Archer Lodge in the greenway grant application. Mr. DeYoung stated he would draft the letter for the Mayor's signature. Council were in agreement with support of the letter.

12 OTHER BUSINESS

- a) Informal Discussion & Public Comment
- b) Council Comments

Mayor Pro-Tem Grannis requested a summary of the lease agreements for the YMCA & Novo. Ms. Medlin stated within the agenda packet there were two agreements, one with Novo Nordisk and the second being the YMCA. These agreements consisted of a little more than a years' worth of work. When Novo Nordisk began considering the \$1.8 billion expansion project on Powhatan Road, the conversations between the Town and Novo Nordisk pertained to wastewater. The Town had concerns about how to provide wastewater to the new facility. In order to meet the needs, a wastewater pretreatment facility would be required before they could discharge into the public wastewater facility. Ms. Medlin stated that several locations were looked at for the facility before the site was selected. Ms. Medlin stated the site selected located on Powhatan Road was owned by the YMCA. Negotiations began about acquiring the property. During the negotiations, the Town suggested a swap agreement with the YMCA. The Town would purchase a piece of property and swap it for the property located off Powhatan Road. The cost of the property swap with the YMCA will be completely absorbed by the ratepayer's pretreatment facility. That would include industries that participate in the wastewater pretreatment facility. This cost will not come from taxpayer money. It will not come from rate increases from current water and sewer customers. The ratepayers of the

wastewater pretreatment facility will make the Town of Clayton whole. The facility is scheduled to go on line in 2019 - 2020 timeframe. The Town is currently working with Novo Nordisk on the construction of the pretreatment facility. Novo Nordisk will be constructing the facility. The plan is that Novo Nordisk will transfer the facility over to the Town for its operation. Mayor Pro-Tem Grannis thanked Ms. Medlin for confirming that taxpayers would not have to support the cost of the pretreatment facility.

Council Member Thompson stated that there are parking issues in Town and stated that he would like a group of staff members to include police and fire personnel take a look at the street parking in reference to emergency vehicles and ability to safely pass parked vehicles. This focus group can identify the problem areas and come back to Council with suggestions. It maybe some of the residential streets only have street parking on one side instead of both sides. Council Member Thompson would like this type of problem be handled as a large group instead of one street at a time.

13 CLOSED SESSION

- a) Closed Session Pursuant to NCGS 143-318.11 (a) (5)
 - Possible Acquisition of Real Property

ACTION: Motion for Closed Session

Motion: Council Member Satterfield

Second: Council Member Holder

Vote: Unanimous

14 ADJOURNMENT

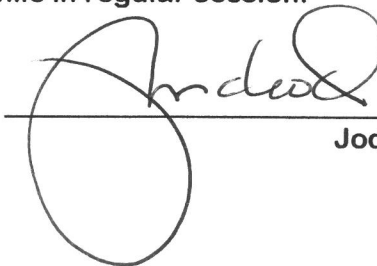
- a) With there being nothing further, the meeting was adjourned at 8:20 p.m.

Motion: Council Member Thompson

Second: Council Member Satterfield

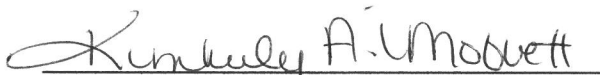
Vote: Unanimous

Duly adopted this the 6th day of November, 2017 while in regular session.



Jody L. McLeod
Mayor

ATTEST:



Kimberly A. Moffett, CMC, NCCMC
Town Clerk